

REMARKS

With entry of this amendment, claims 1, 3, 6-11, 14, 15, 17, 20-25, 28, and 79-86 are currently pending in the above-identified application. Claims 2, 4, 5, 12, 13, 16, 18, 19, 26, 27, and 29-78 have been canceled without prejudice to Applicant's right to pursue the subject matter of these claims in a related, co-pending application. Claims 1, 3, 15, and 17 have been amended and claims 79-86 have been added as set forth in detail below. No new matter has been added by these amendments.

Claim Rejections under 35 USC §102

Claims 1-5, 7, 8, 12, 14-19, 21, 22, 26, and 28 stand rejected under 35 U.S.C. § 102 as follows:

claims 1-3, 5, 7, 14-17, 19, 21 and 28 as allegedly anticipated by Titterton *et al.* (U.S. Patent No. 2,983,961) under 35 U.S.C. § 102(b);

claims 1-3 and 15-17 as allegedly anticipated by Martino *et al.* (U.S. Patent No. 4,049,762) under 35 U.S.C. § 102(b); and

claims 1-4, 7, 8, 12, 15-18, 21, 22, and 26 as allegedly anticipated by Imaeda *et al.* (U.S. Patent No. 6,523,576) under 35 U.S.C. § 102(e).

Applicant first notes that the instant rejections are obviated with respect to claims 2, 4, 5, 12, 16, 18, 19, and 26 in view of the cancellation of these claims.

Further, while not agreeing with the Examiner's rejections or reasons for rejection, but in order to expedite prosecution of the instant application, Applicant has amended claims 1

and 15 to recite, *inter alia*, a mold having "a plurality of inflatable circumferential channels and at least one inflatable longitudinal channel in fluid communication with and connecting the circumferential channels," wherein the assembled mold comprises "(a) a plurality of circumferential channel cavities that have inside surface contours that match outside surface contours of the plurality of inflatable circumferential channels in an expanded state; and (b) at least one longitudinal channel cavity in fluid communication with and connecting the circumferential channel cavities, the longitudinal channel cavity having an inside surface contour that matches an outside surface contour of the at least one inflatable longitudinal channel in an expanded state."

Applicant notes that claims 1 and 15 as amended substantially incorporate the limitations of dependent claims 12 and 26, respectively. It is further noted that neither claim 12 nor claim 26 are rejected by the Examiner as anticipated by Titterton *et al.* or Martino *et al.*. Accordingly, Applicants believe that the present claims 1 and 15, and claims depending therefrom, are novel over Titterton *et al.* and Martino *et al.* under 35 U.S.C § 102.

Applicant also believes claims 1 and 15, and claims depending therefrom, to be novel over Imaeda *et al.* The Examiner states that Imaeda *et al.* teach "a blow mold for forming a corrugated pipe comprising: molds (54, 55) having a channel with longitudinal channels (55a) and circumferential channels (54a) wherein the channels are in fluid communication with each other." However, Imaeda *et al.* do not disclose a mold wherein the longitudinal channel "connects the circumferential channels" as presently recited in claims 1 and 15. (See Imaeda *et al.* at Figure 8).

For the reasons set forth above, Applicant believes claims 1, 3, 7, 8, 14, 15, 17, 21, 22, and 28 to be novel over Titterton *et al.*, Martino *et al.*, and Imaeda *et al.* Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw the rejections of claims 1, 3, 7, 8, 14, 15, 17, 21, 22, and 28 as anticipated under 35 U.S.C. § 102.

Claim Rejections under 35 USC §103(a)

Claims 6, 9-11, 20, and 23-25 stand rejected under 35 U.S.C. § 103 as follows:

claims 6 and 20 as allegedly unpatentable over any one of Titterton *et al.*, Imaeda *et al.*, or Martino *et al.*, taken together with Lupke *et al.* (U.S. Patent No. 4,319,872);

claims 9 and 23 as allegedly unpatentable over any one of Titterton *et al.*, Imaeda *et al.*, or Martino *et al.*, taken together with Mennig (*Mold-Making Handbook*); and

claims 10, 11, 24 and 25 as allegedly unpatentable over any one of Titterton *et al.*, Imaeda *et al.*, or Martino *et al.*

While not agreeing with the Examiner's rejections or reasons therefore, Applicant notes that the present rejections are obviated in view of the amendments to claims 1 and 15 as set forth above in response to the Examiner's remarks under 35 U.S.C. § 102. Claims 1 and 15 now recite, *inter alia*, "a plurality of circumferential channel cavities" and "at least one longitudinal cavity in fluid communication with and connecting the circumferential channel cavities." Applicant notes that Titterton *et al.*, Imaeda *et al.*, Martino *et al.*, Lupke *et al.*, and Mennig do not teach or suggest a mold comprising a longitudinal channel cavity in fluid communication with and connecting a plurality of circumferential channel cavities.

Therefore, at least for the reasons set forth above, Applicant believes that claims 6 and 20 are nonobvious over any one of Titterton *et al.*, Imaeda *et al.*, or Martino *et al.*, in view of Lupke *et al.*; that claims 9 and 23 are nonobvious over any one of Titterton *et al.*, Imaeda *et al.*, or Martino *et al.*, in view of Mennig; and that claims 10, 11, 24 and 25 are nonobvious over any one of Titterton *et al.*, Imaeda *et al.*, or Martino *et al.* Accordingly, Applicant respectfully

requests the Examiner to reconsider and withdraw the rejections of claims 6, 9, 10, 11, 20, 23, 24, and 25 as unpatentable under 35 U.S.C. § 103.

Allowable Subject Matter

The Examiner has indicated that claims 13 and 27 would be allowable if rewritten into independent form, including all of the limitations of the base claim and any intervening claims. Applicant notes that new claims 79 and 83 include all the limitations of claims 13 and 27, respectively, including all the limitations of the respective base claims and any intervening claims. Therefore, Applicants believe that new independent claims 79 and 83 should be allowable.

Other Amendments

In view of the amendments to claims 1 and 15 as set forth above, which delete the term "cuff" (thereby deleting antecedent basis for this term with respect to dependent claims 3 and 17, respectively), claims 3 and 17 have been amended accordingly to recite "an outside surface contour of ~~the~~ an at least one inflatable cuff of the graft section in an expanded state."

New Claims

As set forth above, new claims 79 and 83 have been added to substantially recite the subject matter of allowable dependent claims 13 and 27 in independent form. In addition, new claims 80-82, and 84-86 have been added to more fully claim novel aspects of the present invention. New claims 80-82, depending from claim 79, recite limitations that substantially correspond to those recited in original claims 3, 7, and 14, respectively. New claims 84-86,

which depend from claim 83, also recite limitations that substantially correspond to those recited in original claims 3, 7, and 14, respectively. Because independent claims 79 and 83 are allowable for the reasons set forth above, claims 80-82 and 84-86 should also be allowable.

CONCLUSION

In view of the foregoing, Applicants respectfully request reexamination and reconsideration of the pending claims. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 206-467-9600.

Respectfully submitted,

Dated: 4/19/04

By: Craig P. Wong
Craig P. Wong
Reg. No. 45,231

TOWNSEND and TOWNSEND and CREW, LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111
Telephone: (206) 467-9600
Telefax: (415) 576-0300
CPW/acg
60144407 v1